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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA, )  
9 Plaintiff, )  
10 v. ) 2:12-cr-00174-MMD-PAL  
11 PATRICK ONEAL GERVAIS, )  
12 Defendant. )

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on July 23, 2012, defendant PATRICK ONEAL GERVAIS pled guilty  
15 to Count One of a One-Count Criminal Information charging him with Possession of Child  
16 Pornography, in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

17 This Court finds defendant PATRICK ONEAL GERVAIS agreed to the forfeiture of the  
18 property set forth in Forfeiture Allegations of the Criminal Information.

19 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America  
20 has shown the requisite nexus between property set forth in the Forfeiture Allegations of the  
21 Criminal Information and the offense to which defendant PATRICK ONEAL GERVAIS pled guilty.

22 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
23 2253(a)(1) and (a)(3):

- 24 a) any book, magazine, periodical, film, videotape, or other matter which contains  
25 any such visual depiction, which was produced, transported, mailed, shipped,  
26 or received; computer images, including movie and still image files, depicting

1 a minor engaging in sexually explicit conduct and the diskettes and hard drives  
2 on which they are maintained;

- 3 b) Acer laptop computer, serial number LXAKV0X935827126472500;
- 4 c) Gateway computer, serial number FX530XV;
- 5 d) Hitachi 2TB hard drive, serial number 2TBHDYAJDVXSV;
- 6 e) Western Digital hard drive, serial number WD20000C033001; and
- 7 f) Western Digital hard drive, serial number WX61A5026968T ("property").

8 This Court finds the United States of America is now entitled to, and should, reduce the  
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
11 United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
13 PATRICK ONEAL GERVAIS in the aforementioned property is forfeited and is vested in the United  
14 States of America and shall be safely held by the United States of America until further order of the  
15 Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
17 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
18 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
19 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
20 the name and contact information for the government attorney to be served with the petition,  
21 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
23 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
25 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
26 following address at the time of filing:

1 Michael A. Humphreys  
2 Assistant United States Attorney  
3 Daniel D. Hollingsworth  
4 Assistant United States Attorney  
5 Lloyd D. George United States Courthouse  
6 333 Las Vegas Boulevard South, Suite 5000  
7 Las Vegas, Nevada 89101.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
10 following publication of notice of seizure and intent to administratively forfeit the above-described  
11 property.

12 DATED this 23 day of July, 2012.

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14 UNITED STATES DISTRICT JUDGE